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Atari Online News, Etc.
A-ONE Online Magazine
Dana P. Jacobson, Publisher/Managing Editor
Joseph Mirando, Managing Editor
Rob Mahlert, Associate Editor

Atari Online News, Etc. Staff

Dana P. Jacobson -- Editor
Joe Mirando -- "People Are Talking"
Michael Burkley -- "Unabashed Atariophile"
Albert Dayes -- "CC: Classic Chips"
Rob Mahlert -- Web site
Thomas J. Andrews -- "Keeper of the Flame"

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->From the Editor's Keyboard
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"Saying it like it is!"

I'm gonna tell you right off the bat, I'm beat!! It's been a long 6-day work week, especially in the heat that we've had this past week! Don't get me wrong, I enjoy working; and I enjoy summer weather (not crazy about high heat and humidity!) - but it can take a lot out of you. If you're over 50, you'll probably agree with me!

There are a number of articles in this week's issue that I hope to talk about next week because they seem quite interesting. One, the potential positive effect on the internet by ICANN providing a new .xxx domain name. The obvious is that porn sites will flock to this new program, and thus making it "easier" to filter out porn sites if one so chooses - because they'll be obvious. Not sure it's going to be that simple!

The other story line I want to delve into is the recent lawsuit loss by Viacom. It seems that they were suing YouTube for a number of copyrighted videos on the site, but there is a "loophole" in the 1998 Digital Millennium Copyright Act that gave YouTube an "out". That "loophole" is an interesting factor, and needs discussion!

Nope, I'm not going to mention the oil "spill" in the Gulf other than to reference something I said a couple of weeks ago - where are the experts from the rest of the world and why aren't they offering any assistance? How ironic that when there's a crisis anywhere in the world, the United States is one of the first countries (if not the first) to be there to assist. But where's the rest of the world when we need assistance?

Hopefully, I'll find a way to soothe some aching muscles and get some much-needed rest before I head out for an annual golf tournament tomorrow. I should be good for some laughs - I haven't picked up a golf club since last year's tournament! You'd think that working at a golf course would provide me with some opportunity to get some playing in, but it just hasn't happened yet! It should be interesting and fun!

Until next time...

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PEOPLE ARE TALKING

compiled by Joe Mirando
joe@atarinews.org

Hidi ho friends and neighbors. Another week has come and gone, and again there just aren't enough messages in the newsgroup.

So I'm going to talk about... yeah, you guessed it... "The Gulf".

This week, one of BP's "robot subs" bumped into that "cap" on top of the busted pipe a mile below the surface of the ocean. For half a day or so, oil and gas were belching out of that puppy like a huge, high-powered fire hose, unrestricted by anything but the width of the pipe itself.

According to BP, what happened when the 'aqua robot' bumped into the cap was that a valve closed, which forced gas (methane, I'm assuming) up the pipe that was supposed to be bringing warm water DOWN to the cap to keep those nasty hydrate crystals from forming. The problem with this 'hydrate' stuff is that it's basically the flammable/explosive gas that they try to get rid of once it gets to the surface. But at the pressure a mile down is quite literally crushing, and substances that would be a gas at sea level can be either liquid or solid (depending on the particular substance) a mile below the sea. Unfortunately, these hydrates can block the flow inside the pipe and, like plaque in an artery, break off at inconvenient times... ie: ANY time. Then that happens, they can get shot to the surface on a column of high velocity crude oil until it gets to the surface where the pressure drops off precipitously, allowing the crystals to sublime back into a gas. If this happens near flame... boom.

That's the reason they removed the cap when they did. They didn't want to risk this gas and whatever hydrates might accumulate giving them any more headaches than they've already got.

I don't know that the "buzz" will be by the time you read this, but right at this moment there are groans and sighs going up all over the world at the fact that the cap 'blew off'. But that's not accurate. BP intentionally took the cap off to avoid problems. In this one thing, they "done good". That move, Even though it left the well belching full force into the open ocean, very probably kept more problems from occurring, and possibly saved lives.

But the big problem is still there. That busted pipe is still spewing out millions of gallons of crude oil and untold quantities of gas into the gulf, and we have no real idea of how bad the damage is REALLY going to be.

Yes, they SAY it will take months-to-years to clean it up, but no one really KNOWS what it'll take. This is a HUGE spill, and the oil just isn't acting like you'd think it would. Instead of floating gently on top of the water as we all thought it would, NOW we find that some of it is down "as far as" two hundred feet below the surface. Now, that may not sound "too bad", but that's huge when you're trying to clean up a mess like this. And now that the oil and sludge is washing ashore, people are much less vocal about yelling "Drill baby, drill".

Of course, there are those who are trying their darnedest to have it both ways, blaming the current administration for allowing the drilling they've been screaming for all along while yelling for yet more drilling.

Unfortunately, the truth is that we DO need petroleum. For heating our

homes, running our cars, buses, airplanes, etc., for generating our electricity for running our homes and businesses and those laptops and iPads and iPods, but also for lubricants like motor oil and WD40 and bearing grease, for asphalt for our roads, and even our plastic milk bottles and laptop computer cases. All of it requires petroleum. And until we perfect some super bacteria that eats all the waste we generate and belches back some form of clean, plentiful energy, we're stuck with that.

The Department of Energy just okayed millions of dollars in research money for wind power. That's great, but we need more. More of everything. More research money, more experimentation, more "we've just got to do it" projects that expect to operate at a loss for a long while... possibly for ever.

Solar, wind, wave, geothermal, they all need to be looked at. Nuclear, well, I'm afraid to say it, but yes, we have to look at that right now too. And, although we're nowhere near close to making it work economically, we need to look at fusion as well.

While most of us are at least slightly familiar with fission ('splitting the atom' to generate energy), and how radioactivity is a bad thing for anything that lives, fusion is less understood by the masses. First of all, it's true that fusion is less energetic than fission. But that's counter-balanced by the fact that the waste products are so harmless. It's simple. You slam two hydrogen atoms together with enough force to make them merge to make a helium atom, releasing a little bit of left-over energy in the process. Do that with enough atoms of hydrogen, and the energy can be quite substantial. And the energy released is much more easily handled than the energy released by fission or plutonium or uranium.

So it's a win/win situation, right? Welllll... that's where it gets a little tricky. First of all, the energy required to get two hydrogen atoms to fuse is really kind of high. Second of all, getting the reaction to repeat itself is hard. But it CAN be done. Mother Nature does it herself inside every star that shines in the sky. Fusion is what powers the sun. It's been burning for about four and a half billion years and is only half-way through its life. And there was no one there to "ignite" the sun. It did it all on its own, using only the laws of physics.

You see, gravity is a really cool thing. It's not only what keeps us "stuck" to the surface of the earth, it's what holds the sun together too. At the very center of the sun, where the gravity is unimaginably high, one day, 4.3 billion years ago, two hydrogen atoms got squeezed together under unimaginable pressure and heat until they merged... or fused... and formed a helium atom. The energy released went on to cause some other hydrogen atoms to merge, forming more helium and releasing more energy. That energy went on to cause other hydrogen atoms to fuse, which created more helium and energy and... well, you get the idea.

The problem for us is creating the heat and pressure that started the sun's fusion process. We've tried diamond anvils, lasers, super-conducting magnets and a whole bunch of other stuff, but we still haven't been able to do it efficiently or cost effectively.

Some of you might remember the "cold fusion" debacle about 20 years ago. All of a sudden, it seemed possible that we could take some precious metals and stick them into a bath of 'special' water (heavy water and an electrolyte), hook it up to a battery and have it produce relatively large amounts of energy.

But alas, it was not to be. Scientists all over the world tried to duplicate the results, but couldn't. After that, the whole idea of cold fusion has come to represent a something imaginary; as impossible as a perpetual motion machine.

But the fact remains that cold fusion may be possible. There's a process called muon catalyzed fusion that has always shown a lot of promise if we can just figure out how to do it right.

So yeah, we need a lot more money for research and development. And I don't think any one type of energy generation holds the complete answer either. If this current crisis has shown us nothing else, it's shown us that we need to be smarter and cover as many bases as we can. And in this case, that means not relying on any one source of energy no matter how cheap, abundant or easy to use.

Well, that's it for this week, folks. Tune in again next week, same time, same station, and be ready to listen to what they're saying when...

PEOPLE ARE TALKING

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->A-ONE's Game Console Industry News - The Latest Gaming News!
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E3 2010: The Battle of the Big Three

Now that E3 2010 is over, I've had some time to breathe and to reflect on the over-the-top fanfare of the past week. The Electronic Entertainment Expo is once again a big, exciting show; it's a spectacle of bright lights, ground-vibrating explosions, and a broad spectrum of celebrity endorsement. This marks quite a change from the E3 of a few years ago, when the show was scaled back to a collection of hotel-room demos. Last year marked the return to (gigantic) form for the show, as the LA Convention Center teemed with armies of eager geeks. This year's E3 was roughly on a par with 2009's, at least in terms of sheer drama.

Once again, the three videogame giants Microsoft, Nintendo, and Sony kicked off the show with appropriately large press conferences ahead of the official opening. Microsoft was up first. Its media event was not quite the spectacle it was in 2009, though, when it featured appearances by the two

living Beatles and their families, skateboarder Tony Hawk, and the debut of a new motion-based peripheral then called Project Natal.

Microsoft decided to limit admissions to this year's invite-only event. We at PCMag were given only a single invitation. It went to editor-in-chief Lance Ulanoff, who live-blogged the event. The limited seating, it turned out, was due to the announcement of a slimmed-down version of the Xbox 360: One system ended up in the hands of each person present. That announcement was a "one more thing" type of bonus at the end of the event: Microsoft SVP Don Mattrick lifted up a false Xbox 360 to reveal the smaller unit tucked inside.

While the slimmer console was a nice surprise, Project Natal - officially renamed the Kinect for Xbox 360 at an event the night before - was once again the star of the show. The device has largely - and correctly - been viewed as Microsoft's play for the casual gaming space, an area long dominated by Nintendo and reaffirmed with the Wii. The Kinect is a shot at the motion-based Wiimote, only with a twist. Microsoft's version eschews the controller altogether: Rather, the player becomes the controller through advanced motion-capture technology.

If the E3 press conference was any indication, the company will be pushing the device in a major way, making an all-out assault on Nintendo's top-dog position in the console wars. This is a decided change from the company's longstanding approach as a platform for "serious gamers," established with the first Xbox. But given what seems to be a lack of precision due to the nature of the technology, it's hard to see Microsoft effectively selling the Kinect to its base. Serious gamers are unlikely to pick one up to play the latest FPS title. In fact, players have been known to dump mind-boggling sums of money into peripherals that sell the promise of pinpoint accuracy.

Sony, on the other hand, has taken it upon itself to appeal to everybody. As with Microsoft, the centerpiece of Sony's presentation was a technology first unveiled at last year's show. Introduced in 2009 as a prototype, the Japanese electronics giant's shot at the motion controller was renamed the PlayStation Move. And at its media conference this year, Sony spent a considerable amount of time taking potshots at the Microsoft Kinect for its lack of buttons and tactility.

The Move, Sony told its audience time and again, was designed with everyone in mind, from the hardcore basement gamer to grandma and grandpa. It has the sense of fun that made the Nintendo Wii such a massive runaway hit, while possessing the precision required to play more serious titles.

As it turns out, both the Kinect and the Move seem to have possessed the collective imagination of game developers. Plenty of games that utilize the new technologies were present on the show floor - though if the EA and Ubisoft press events were any indication, the Kinect seems to have a head start in this incremental round of the console wars.

It seemed, however, that Nintendo had the most to prove at E3 this year - at least in the eyes of the gaming press. Many of its members have traditionally given the company a hard time, given its lack of dedication graphics power and serious gaming. Nintendo's press event at last year's E3 was the most lackluster of the big three. And while the Wii is still outselling the competition, Microsoft and Sony have managed to narrow the gap.

By most accounts, Nintendo delivered the goods this year. Last year's

relatively disappointing Wii Motion Plus and Vitality Sensor were traded in for what was almost certainly the biggest hardware hit of the show: the 3DS, the successor to the company's best-selling Nintendo DS. Many in the press were skeptical of Nintendo's ability to deliver on its promise of 3D without glasses. But after spending some hands-on time with the device, I'd say that Nintendo delivered - particularly with the inclusion of the analog toggle switch, which lets the users change the viewing angle of the top 3D screen.

Much like Sony's mocking of the Kinect, Nintendo spent a good deal of time deriding the glasses required by the 3D gaming competition's technology. Nintendo executives didn't actually mention Sony by name, but that company's strong 3D push at this year's show drove the point home, particularly when, less than 2 hours after the end of Nintendo's event, employees handed out Real D 3D glasses at the entrance to the Sony event.

The Nintendo 3DS also highlighted the competition's lack of commitment to portability. Microsoft once again failed to deliver on a rumored handheld Xbox. And while Sony insisted it is as devoted as ever to the PSP platform, such commitment was not very perceptible at the event, particularly in light of the absence of a much-hoped-for PSP 2.

Ultimately, however, the success and failure of each of these devices - the Kinect, the Move, and the 3DS - will hinge on each company's ability to deliver great games. To paraphrase a popular political slogan, "It's the titles, stupid." It always has been.

New \$199 Xbox 360 Slim Coming This Fall?

Recalibrating the rumor clock, Kotaku claims Microsoft will offer a \$199 version of its new piano-black, slim-style Xbox 360 this fall. That's based on a marketing Q&A document that reportedly answers the question "Will you sell a \$199 version of the new Xbox 360?" with a pretty unambiguous "We will offer a \$199 Xbox 360 this fall."

You probably heard Microsoft was discontinuing its older \$299 Elite and \$199 Arcade Xbox 360s, and that it was fire-selling them for \$249 and \$149 respectively.

But even at \$299 with integrated WiFi and a 250GB hard drive, the entry-level Xbox 360 asks newcomers for a lot of upfront cash--especially potential /casual/-grade Kinect players, who'll pay upwards of \$100 extra for a Kinect bundle, or \$150 for the controller-free motion-sensing add-on standalone.

A \$199 Arcade model employing the sleek new housing (and, presumably, lower cost internal components and design) thus makes perfect sense. Maybe it'll have a 120GB hard drive instead of 250GB. Maybe it won't include integrated WiFi. Maybe it won't have a hard drive at all.

Whatever the case, expect bundles. Lots of bundles. We're already pretty sure about a few, since GameStop posted several last week, suggesting Kinect would be \$150 by itself, or \$300 bundled with an Arcade model.

It looks like that Arcade model now stands revealed. Sort of. Stand by for confirmation (or an obligatory "no comment") from Microsoft.

Update: Microsoft just responded to a confirm request with this: "We will offer a \$199 Xbox 360 this fall. We have no other details to share at this time."

Video Gamers Can Now Play for More Than High Scores

Gamers may enjoy bragging to their friends about their virtual skills and high scores but now there's a way for players to literally put their money where their mouth is.

Richard Branson has stepped back into the video game space, where he was an early pioneer with Virgin Interactive, with his sights set on the emerging competitive tournament gaming space.

Virgin Gaming will be giving away over \$1 million in cash over the next 12 months through video game tournaments in which players can compete from the comfort of their own homes on consoles like Xbox 360 and PlayStation 3.

"People have been playing competitively for a very long time, ever since a guy picked up a rock and said he could throw it further than the guy next to him," said Branson, who attended the Electronic Entertainment Expo (E3) last week.

"In the videogame space, the competitive gaming landscape has only been open to pros and the elite players. At Virgin Gaming, our mission is similar to what Sony is doing with PlayStation Move and Microsoft is doing with Kinect - we're broadening the scope for everyone."

With the global gaming business raking in \$60 billion last year, Billy Pidgeon, analyst for M2 Research, believes brands like Virgin Gaming will be able to capitalize on avid gaming audiences around the world without any legal issues.

Over the coming months, Virgin Gaming will align itself with major game publishers and mainstream sponsors to launch tournaments for thousands of players to compete.

William Levy, president of Virgin Gaming, said there are about 20 companies that currently offer gamers a chance to win real prizes for virtual play.

One of those, Galaxy4Gamers, welcomes the Virgin Brand and the awareness it has already generated for the niche gaming space.

"Millions of gamers have competed in video game tournaments over the years, but now the mainstream audience will be introduced to this competitive arena," said Michael Casazza, president of Galaxy4Gamers, which caters to 18- to 40 year-old men with disposable incomes.

"Our members are usually playing a couple times per month for cash and prizes. We offer one-versus-one tournaments to 64-player Clan tournaments and members can challenge our top video game professionals for cash prizes through our Beat A Pro platform."

Levy and Zack Zeldin launched the beta of WorldGaming.com in April 2009 and

have since grown into the largest competitive tournament gaming site with 40,000 active users.

Those numbers attracted Branson, who is now putting competitive skill-based gaming on the map.

"Beyond the cash prizes, we're going to offer unique packages that only Virgin can deliver like a trip to the bottom of sea in one of Branson's subs or exotic vacations aboard Virgin Airlines," said Levy.

But Virgin Gaming, which takes a 12 percent service fee for the amount wagered, does have its detractors.

"When you have individuals wagering their own money with Virgin taking a cut off the top, that's gambling, even if you call it skill-based gaming transactions and service fees," said Michael Pachter, video game analyst, Wedbush Morgan Securities.

Hal Halpin, president of the Entertainment Consumers Association, said competitive prize-based game companies like Virgin Gaming and BringIt! are no different than taking part in a March Madness office pool.

"You can hear the usual suspects already ramping up their usual rhetoric about violence in games, to now include gambling - their spin would likely be that it's that much more of an adults-only activity and in need of regulation as a result," said Halpin. "But the same argument could be made for fantasy football."

Thank Goodness For Used Video Games

To hear some publishers tell it, used game sales are the devil's work, and we - meaning us consumers - the devil's henchmen.

We're buying too many used games, you see, and in our patient thrift, we're destroying the very thing we're supposed to love.

Not the games themselves, mind you - first-class game development is flourishing with or without the World of Warcraft's and Call of Duty's-but, if we buy the corporate line, the ability of game publishers to reap increasingly massive revenues.

The latest "uh-oh, used games" salvo comes from a UK-based analytics company, which just released a report fingering preowned game trading as "the driving force" behind year-on-year declines in UK new video game sales.

"The second hand games market is more fearsome now than it ever has been," concludes UK trade mag MCV, which noticed the study. "A decade ago the only outlets for second hand games was High Street specialists and the then burgeoning number of UK indies."

The trend's not new, of course, and it's ramping up on both sides of the pond. In July 2009, a Nielsen retail game sales report suggested US used game sales were cutting sharply into new ones.

"Used game purchases have picked up in 2009, and this has increasingly come at the expense of new games when looked at as a share of the

total," said the Nielsen report. "Sales of used games increased by 31.9 percent compared to last year."

Stepping back to Sept smaller studios were in for bumpy financials given the thriving market for pre-owned games.

"It's hard to gauge the effect of used game sales on Halo, but I'm sure it's big," opined O'Donnell. "Complaining about sales when you have a multi-million seller is somewhat difficult to justify, but it seems to me that the folks who create and publish a game shouldn't stop receiving income from further sales."

And Bethesda's (Oblivion, Fallout 3) Pete Hines recently put it this way: "We would prefer to participate in the sale of our products, especially when we spend years putting one of these things together and we have to continue to provide support for all these new customers without creating any new revenue from it at all."

So are these claims fair or foul?

Do As I Say, Not As I Do

Game publishers know dissing used sales won't win over consumers, who view the software they've purchased as theirs to resell at will. After all, when it comes to personal property, is a video game different from a book? A movie? A television? A chair? A couch?

Did the film industry whine when the used video market cut into sales of VHS movies? DVDs? Blu-ray discs? Are TV manufacturers miffed each time a Sony, Samsung, or LG flatscreen sells on eBay? Do furniture manufacturers grouse about lost profits from used furniture sales at auctions, garage sales, or consignment stores?

It's a little silly, then, to bring the issue before consumers. It's like someone in the press complaining about the occasionally scandalous relationship between public relations flak and game journalists. The latter's for journalists to sort out. The former's for publishers and retailers to grapple with. If GameStop or Best Buy or Amazon or Walmart want to cut in publishers on a percent of used game profits, by all means. But intimating that it's somehow the consumer's fault for treating games as buyable and resalable commodities like any other is allowing frustration-however justifiable-to trump common sense.

Steamed

If game publishers are either too maladaptive or greedy to figure out how to continue reaping windfall profits based on changing demographic thresholds for "new" purchases, they need to come up with alternative revenue models. Charging for support, for instance, if it's really that costly (I haven't called a video game support line in 15 years) might be one way to offset what Hines is after.

For instance: I have an Apple MacBook Pro. It comes with a one year transferable manufacturer's warranty. Apple participates in none of the profit if I sell the laptop used before that year's up (you don't hear Apple complaining about this). If I want to extend the support warranty by an additional two years, I have to reach into my wallet and come up with roughly \$250 extra. If I sell the laptop with the warranty in place, Apple could care less who's phoning in the trouble ticket. If I sell it without, they're not obliged to support it at all. No fuss, no

muss.

Another more or less inexorable solution involves digital distribution. I have a copy of BioShock on my Xbox 360. I pulled it down earlier this year because I'd sold my original a while back and wanted to replay it in anticipation of BioShock 2. I can't resell it, because it's "tethered" to my Xbox LIVE account, and its only "physical" presence involves its aggregate 1s and 0s footprint on my more or less piracy-proof Xbox 360 hard drive. The same applies to PC games purchased from online distributors like Steam. It's simply a matter of time before physical products are entirely replaced by digital ones.

When that happens, publishers will fully control all once more...as vanguards who only sell digital versions already do.

In the meantime, thank goodness for used games. I don't know about you, but \$60 for one new game is \$10 more than my monthly discretionary budget entire.

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A-ONE's Headline News
The Latest in Computer Technology News
Compiled by: Dana P. Jacobson

Lieberman Backs Away from 'Internet Kill Switch'

Sen. Joseph Lieberman on Sunday dismissed the idea that a recently introduced bill would give the president access to an Internet kill switch as "misinformation." He then said, however, that the government needs to be able to "disconnect parts of its Internet in a case of war."

"The president will never take over - the government should never take over the Internet," Lieberman said during CNN's "State of the Union," according to a transcript.

Earlier this month, it was reported that Lieberman and Sen. Susan Collins were prepping a bill that would allow the government to "take over" civilian network in an emergency. The news prompted many to dub this option an "Internet kill switch."

On Sunday, Lieberman denied that this was the case, but said the government needed the option to shut down certain parts of the Web should they come under attack.

The country's "electric grid, the telecommunications grid, transportation, all the rest is constantly being probed by nation states, by some terrorist groups, by organized criminal gangs," he said.

As a result, "we need the capacity for the president to say, Internet service provider, we've got to disconnect the American Internet from all traffic coming in from another foreign country, or we've got to put a patch on this part of it," he said.

Lieberman insisted that he and Collins have consulted with civil liberties and privacy experts on that bill, and that their effort is "a matter of national security."

"A cyber attack on America can do as much or more damage today by incapacitating our banks, our communications, our finance, our transportation, as a conventional war attack," he said.

"Right now, China, the government, can disconnect parts of its Internet in a case of war. We need to have that here, too," Lieberman concluded.

Senate Panel Approves Controversial Cybersecurity Bill

A U.S. Senate committee has approved a wide-ranging cybersecurity bill that some critics have suggested would give the U.S. president the authority to shut down parts of the Internet during a cyberattack.

Senator Joe Lieberman and other bill sponsors have refuted the charges that the Protecting Cyberspace as a National Asset Act gives the president an Internet "kill switch." Instead, the bill puts limits on the powers the president already has to cause "the closing of any facility or stations for wire communication" in a time of war, as described in the Communications Act of 1934, they said in a breakdown of the bill published on the Senate Homeland Security and Governmental Affairs Committee Web site.

The committee unanimously approved an amended version of the legislation by voice vote Thursday, a committee spokeswoman said. The bill next moves to the Senate floor for a vote, which has not yet been scheduled.

The bill, introduced earlier this month, would establish a White House Office for Cyberspace Policy and a National Center for Cybersecurity and Communications, which would work with private U.S. companies to create cybersecurity requirements for the electrical grid, telecommunications networks and other critical infrastructure.

The bill also would allow the U.S. president to take emergency actions to protect critical parts of the Internet, including ordering owners of critical infrastructure to implement emergency response plans, during a cyber-emergency. The president would need congressional approval to extend a national cyber-emergency beyond 120 days under an amendment to the legislation approved by the committee.

The legislation would give the U.S. Department of Homeland Security authority that it does not now have to respond to cyber-attacks, Lieberman, a Connecticut independent, said earlier this month.

"Our responsibility for cyberdefense goes well beyond the public sector because so much of cyberspace is owned and operated by the private sector," he said. "The Department of Homeland Security has actually shown that vulnerabilities in key private sector networks like utilities and communications could bring our economy down for a period of time if attacked or commandeered by a foreign power or cyberterrorists."

Other sponsors of the bill are Senators Susan Collins, a Maine Republican, and Tom Carper, a Delaware Democrat.

One critic said Thursday that the bill will hurt the nation's security, not help it. Security products operate in a competitive market that works best without heavy government intervention, said Wayne Crews, vice president for policy and director of technology studies at the Competitive Enterprise Institute, an antiregulation think tank.

"Policymakers should reject such proposals to centralize cybersecurity risk management," Crews said in an e-mail. "The Internet that will evolve if government can resort to a 'kill switch' will be vastly different from, and inferior to, the safer one that will emerge otherwise."

Cybersecurity technologies and services thrive on competition, he added. "The unmistakable tenor of the cybersecurity discussion today is that of government steering while the market rows," he said. "To be sure, law enforcement has a crucial role in punishing intrusions on private networks and infrastructure. But government must coexist with, rather than crowd out, private sector security technologies."

On Wednesday, 24 privacy and civil liberties groups sent a letter raising concerns about the legislation to the sponsors. The bill gives the new National Center for Cybersecurity and Communications "significant authority" over critical infrastructure, but doesn't define what critical infrastructure is covered, the letter said.

Without a definition of critical infrastructure there are concerns that "it includes elements of the Internet that Americans rely on every day to engage in free speech and to access information," said the letter, signed by the Center for Democracy and Technology, the American Civil Liberties Union, the Electronic Frontier Foundation and other groups.

"Changes are needed to ensure that cybersecurity measures do not unnecessarily infringe on free speech, privacy, and other civil liberties interests," the letter added.

Dot-org Domains Can Now Be Protected by DNSSEC

On Wednesday, .org became the first generic top-level domain to offer its customers improved security using DNSSEC (Domain Name System Security Extensions).

DNS is a key building block of the Internet. The technology's most important task is translating IP (Internet Protocol) addresses to host names. When DNS was born in the early days of the Internet it was designed to scale up fast, and a trade-off was made between that and security, according to Alexa Raad, CEO at .org. The implementation of DNSSEC will help change that and protect users against man-in-the-middle attacks, she said.

For users, this means they can be sure that the site they are visiting is actually run by, for example, their bank, and not a hacker, as long as they go to the correct URL.

For the rollout of DNSSEC to take off, registrars, to which domains turn when they want to implement the technology, will have to be on board. Today, 13 of .org's registrars can handle DNSSEC, according to its Web

site. That Go Daddy, the worlds largest registrar, is one of them, will help create a domino effect and get more registrants to implement DNSSEC, according to Raad.

For the proponents of DNSSEC it's been a long road. The technology has been under development for almost two decades, but now it is starting to pick up. Last week, the cryptographic key that will be used to secure the Internet's root zone was created.

The fact that a large generic top-level domain now has moved from testing to actually using DNSSEC is a stamp of approval, which signals that the technology is now ready, according to Jakob Schlyter, IT security advisor at Swedish consultant Kirei. When Verisign starts offering DNSSEC on .net towards the end of the year and then soon after that on .com other domains will follow, he said.

Connecticut, Others Pursue Google Over Data Grab

Connecticut's attorney general will lead a multi-state probe of whether Google Inc broke the law when it siphoned personal data off wireless networks around the world, which the Internet search leader has said was inadvertent.

Attorney General Richard Blumenthal said on Monday more than 30 states participated in a recent conference call on the issue. He said consumers have a right to know what information was collected, and whether U.S. states need to alter procedures to guard against such leaks in future.

Google's shares slid 2.29 percent to close at \$488.56 on Monday.

In May, Google said its cars photographing streets around the world have for years accidentally collected personal data - which a security expert said at the time could have included email messages and passwords - sent by consumers over wireless networks.

"My office will lead a multi-state investigation - expected to involve a significant number of states - into Google's deeply disturbing invasion of personal privacy," Blumenthal said in a statement.

"Consumers have a right and a need to know what personal information - which could include emails, Web browsing and passwords - Google may have collected, how and why."

Blumenthal said Google has cooperated but "its response so far raises as many questions as it answers."

"Our investigation will consider whether laws may have been broken and whether changes to state and federal statutes may be necessary," he said.

Illinois Attorney General Lisa Madigan said last week that she had opened an investigation into whether Google collected personal information about Illinois residents. Michigan Attorney General Mike Cox requested information from Google last week about the interceptions.

News of the Blumenthal-led probe marked the latest development in a privacy controversy surrounding Google. The company already faces an informal investigation over the matter by the U.S. Federal Trade

Commission, a variety of probes overseas, and class action lawsuits.

Google has said the data were accidentally collected by "Street View" cars, well known for crisscrossing the globe and taking panoramic pictures of city streets, which the company displays in its online maps product.

"It was a mistake for us to include code in our software that collected payload data, but we believe we did nothing illegal. We're working with the relevant authorities to answer their questions and concerns," Google spokeswoman Christine Chen said in an email.

The company says it uses the location of Wi-Fi networks to enhance location-based services on smartphones.

It first revealed that Street View cars were collecting wireless data in April, but said that no personal data were involved. But after an audit requested by Germany, Google acknowledged in May that it had been mistakenly collecting samples of "payload data."

Blumenthal also released a letter sent to Google in mid-June asking for more details of the data collection. He had written to Google previously and the giant Internet search and advertising company had responded.

In the second letter, Blumenthal asked the company when it realized that its Street View cars had collected "payload data," who audited or analyzed the Street View data collection program, and whether information was ever extracted from the payload data.

He also asked what precautions Google takes to ensure that its engineers do not insert code into Google products, and which engineer or engineers inserted the payload data code into the Street View cars' collection devices.

Judge Sides with Google in \$1 Billion Viacom Lawsuit

A federal judge sided with Google Inc. on Wednesday in a \$1 billion copyright lawsuit filed by media company Viacom Inc. over YouTube videos, saying the service promptly removed illegal materials as required under federal law.

The ruling in the closely watched case further affirmed the protections offered to online service providers under the 1998 Digital Millennium Copyright Act.

Viacom Inc. had alleged that YouTube, which Google bought for \$1.76 billion in 2006, built itself into the world's largest video-sharing site by promoting the unlicensed use of video taken from Viacom cable channels such as MTV, Comedy Central and Nickelodeon.

Facebook, eBay Inc. and Yahoo Inc. were among the Internet powerhouses that had rallied on Google's behalf in saying that the company should not be liable because the 1998 law offers immunity when service providers promptly remove illegal materials submitted by users once they are notified of a violation.

In his 30-page ruling, U.S. District Judge Louis Stanton in New York

said massive volumes of evidence submitted in the case had convinced him that YouTube did what it needed to do to fall under the "safe harbor" provisions of the copyright law.

In dismissing the lawsuit before a trial, Stanton noted that Viacom had spent several months accumulating about 100,000 videos violating its copyright and then sent a mass takedown notice on Feb. 2, 2007. By the next business day, Stanton said, YouTube had removed virtually all of them.

Stanton said there's no dispute that "when YouTube was given the (takedown) notices, it removed the material."

Viacom said it will appeal, calling the ruling "fundamentally flawed."

Will Video Sites Stop Filtering Content?

One question that needs to be asked a day after Google's landmark win over Viacom in the YouTube copyright-infringement case is whether Google could have gotten away with doing less about protected content on its video-sharing platform.

Judge Louis Stanton noted in his ruling throwing out Viacom Inc's \$1 billion lawsuit that Internet service providers (ISPs) must deal with unauthorized copyrighted material if they have actual knowledge of its existence. If they don't have actual knowledge, the burden shifts to copyright holders to identify the infringement and inform the service provider. Stanton dismissed the case because he found that Google did act expeditiously when told by Viacom of copyrighted works on the site.

But if Google only has to act when it receives a takedown notice, does that mean it can sit back in blissful ignorance and put the onus all on copyright holders? YouTube has often touted its content-filtering technology that helps identify infringing works on the network. Given Stanton's ruling, perhaps filtering technology isn't required for service providers to claim safe harbor from liability.

Hollywood seems to be reading that message from the decision.

"At a time where there is more talk about service providers becoming proactive in the course of their normal routines, this opinion comes along and says you can be willfully blind," says Cary Sherman, president of the Recording Industry Assn. of America, who agrees that the decision potentially opens the door to ISPs dropping their filtering technology. "At this stage, YouTube probably won't roll back its filtering system."

But what about all those web start-ups that have to decide whether to invest in expensive copyright-policing technology? What kind of road map toward escaping liability are they now getting?

"Having tools like filtering helps show the court you are a good actor, but clearly, from a reading of the legislation and from the court decisions, it's not an obligation," says Michael Elkin, a partner at Winston & Strawn, who is representing Veoh in an important case testing safe harbor for ISPs before the 9th Circuit Court of Appeals.

ISPs might also take another equally important lesson from Stanton's

decision in how to escape liability. Since Stanton let YouTube off the hook because he was impressed by its takedown regime, other service providers will likely try to travel the same route. But after being sent a takedown notice, will they stop to consider "fair use" before removing an allegedly infringing video?

If they're emulating YouTube, sometimes they won't.

We've already seen people, from high-profile individuals like John McCain to low-profile ones like Stephanie Lenz (targeted for a baby video backed by a Prince song), try to stand up to YouTube for not putting up a bigger fight against takedown notices. Some of the folks cheering Stanton's decision are the same ones who believe that entities like YouTube should do more to examine the merits of a takedown notice before pulling a claimed video.

Carey Ramos, a partner at Paul Weiss, believes the decision will result in Hollywood showering service providers with more takedown notices. "And the service provider will have an incentive to make a knee-jerk response and take the content down," he adds.

If the onus shifts to copyright holders to make takedown demands, we can be sure they'll pursue them with vigor. And if ISPs don't want to get in trouble with the law, we can be equally certain they'll hardly put up much of a fight.

In other words, service providers will be passive-aggressive when it comes to copyright enforcement. Is that really what people want?

Keep Kids Safe on Facebook

Scammers, spammers, purveyors of porn, hate mongers, and cyber predators - it's no wonder parents are paranoid about what their kids are doing online.

Most software solutions focus on shielding your child from the Net's seamy dark underbelly filtering out porn, blocking certain keyword or image searches, and preventing them from sharing certain information (like their home address) in email or IMs.

The problem? None of these content filters do much about what information your kids are putting out there about themselves, or who can see it. As search engines turn into reputation engines, what your kids say and do online will affect what happens to them down the road.

For example, roughly one out of four college admissions offices say they Google applicants before deciding whether to accept them; one out of five look at their social networking profiles. And in nearly 40 percent of the cases, the information colleges find has a negative impact on the applicant's chances.

What your kids are saying on Twitter or MySpace or posting to Facebook and Flickr could impact their futures, and not necessarily in a good way. That's where SafetyWeb steps in.

SafetyWeb's premise is simple: Enter your child's email address, and it will scour the most popular sites and services, let you know if your

child has accounts on them, and if so how private they are or aren't. That service is free.

For example, searching on one of my email addresses produces a quick report that notes that I am "Public" on MySpace, Friendster, and Twitter; "Private" on Facebook, Flickr, and Bebo; and "exposed" on Flixster and Linked in. (By "exposed," I'm assuming they mean all of my profile details are public.) Click on the screen shot to see the setup.

But if you want to see what your kids are actually posting to these sites, or add new email addresses or new sites to the dozen or so SafetyWeb automatically checks, it will cost you \$10 a month. Whether that's worth it depends on how clued in you are to your kids' social media activities, as well as how sneaky they are.

In my brief experience with the product, I found it a little inconsistent. Some of the data is old or outdated. For example, I changed my Twitter handle more than a year ago, but SafetyWeb still reports on my old one. It lists my Facebook profile as "private" when it's really more than half public. It found a Twitter account for my son that belonged to someone else entirely (though it also found one I didn't know about). It told me my son had an Amazon account, but (because it's private) gave me no way to find out what he's using it for.

In short, SafetyWeb is not a total solution. It's only as good as the databases it uses to cross check these sites, and some of them clearly need to be updated more often.

Still, I can see some good uses. It offers a quick, one-stop glance at your kids' social activities online - a lot easier than schlepping between MySpace, Facebook, Flickr, YouTube, etc. How effective that is depends on how open your kids are about what services they belong to and what email addresses they use.

My not-quite-14-year-old son, for example, is a devious little bastard who uses multiple email addresses online, some of which he refuses to reveal, and is militantly opposed to sharing his online life with his parents. So SafetyWeb is a bad choice for kids like him, because it could give parents a false sense of security. (Not us - we have no sense of security.) Also, at \$10 a month per kid, it can get very pricey for large families. SafetyWeb co-founder Geoffrey Arone says the company plans to offer family pricing discounts at some point in the near future.

Hey, when you're raising a digital native, parents need all the help they can get. Tools like SafetyWeb are another helpful weapon to add to your arsenal. Your kids may not appreciate it now, but they'll thank you later. Maybe.

Porn Sites Closer to .xxx Web Address

It may soon be easier to block Internet porn: The agency that controls domain names said Friday it will consider adding .xxx to the list of suffixes people and companies can pick when establishing their identities online.

The California-based nonprofit agency, ICANN, effectively paved the way for a digital red light district to take its place alongside suffixes

such as .com and .org, finally ending a decade-long battle over what some consider formal acknowledgment of pornography's prominent place on the Internet.

While the move may help parents stop their children from seeing some seedy sites, it wouldn't force porn peddlers to use the new .xxx address - and skeptics argue that few adult-only sites will give up their existing .com addresses.

Still, it's seen as a symbolic step in the opening up of Internet domain names and suffixes, coming on the same day the agency said it would start accepting Chinese script for domain names.

The decision is primarily a victory for U.S. company ICM Registry LLC, which has applied repeatedly to be able to register and manage the .xxx suffix.

The Internet names agency has rejected its application three times since 2000, partly under pressure from Christian groups and governments unhappy with the spread of online porn, said ICM's chief executive, Stuart Lawley. He pitches the suffix, in part, as protection for parents, arguing it will make it easy for Web blocking software to filter out ".xxx" sites, marking them clearly as porn.

"People who want to find it know where it is, and people who don't see it or want to keep it away from their kids can use mechanisms to do so," he said

ICANN's board, at a meeting Friday in Brussels, said it had not treated the company's application fairly three years ago when it reversed an earlier decision recognizing .xxx as the representative of the porn industry. ICANN is now promising to move swiftly with standard checks on Lawley's company.

Peter Dengate Thrush, the chairman of ICANN's board, said the Friday decision "does not mean the .xxx application has been approved ... It means that we are returning to negotiations with the applicant." He estimates that it could take a year for full approval, far longer than the few months ICM says it would take.

He shrugged off criticisms that ICANN was creating a new platform for Internet porn.

"We're not in the content business, and that's up to national governments and lawmakers and people who are qualified to make judgments," he said.

He also warned that .xxx might not necessarily be a success - and that some new Internet suffixes have failed to attract many signups. Some note that most porn sites would likely keep their existing ".com" names, to allow their businesses to be found more easily.

"If it is still going to be available on other domains, it just sounds ineffective" as a way of regulating adult content, said Cathy Wing, of Media Awareness Network, a Canadian nonprofit that advises parents and teachers about Web use.

She also said filters are "easily bypassed" and would not stop children accessing porn.

Pornography is a huge business: The adult entertainment industry is worth some \$13 billion a year, according to the California-based Adult Video News Media Network.

Lawley said he thinks the new address could easily attract at least 500,000 sites, making it - after ".mobi" - the second biggest sponsored top-level domain name. He expects to make \$30 million a year in revenue by selling each .xxx site for \$60 - and pledges to donate \$10 from each sale to child protection initiatives via a nonprofit he has set up.

In comparison, a .com address costs just \$7 but ICANN sells 80 million a year.

There are already 112,000 reservations for the new .xxx domain, Lawley said - with the publicity over Friday's decision attracting an extra 2,000 in the previous day. The company could get the Internet suffix up and running within six to nine months after ICANN checks that ICM has the financial means and technical know-how to run it, he said.

"I think we could do a million or more. There are several million adult top-level domain names already out there," he told the AP. He called the .xxx suffix a "quality assurance label."

The porn industry isn't completely behind .xxx, because some see the site as creating a ghetto for adult content and setting rules where they don't want any.

"The XXX domain concept may just be a slippery slope for the legal adult business. Our customers should not need to go to an .XXX domain to seek us out any more than they would go to .violence or .R-rated for these categories of entertainment," said Steven Hirsch, founder/co-chairman of the Vivid Entertainment Group.

"We need to be concerned with what will follow the implementation of this domain. Will all adult dot coms be mandated into the XXX corral and if not, what makes some exempt but not all?"

Still, Lawley claims to have the support of many large providers and between 60 percent to 70 percent of the entire industry.

Loic Damilaville, deputy director of AFNIC, the association that manages the French .fr suffix, said the moral debate between some family groups and porn firms has been more of an American than an international issue.

"It's mostly a debate on symbols: on the space porn should be allowed on the Internet," said Damilaville, who attended the ICANN board meeting in Brussels.

What's really at stake, he said, is setting the ground rules for how Internet suffixes will be created in the future and how much say governments have in the process. The availability of new suffixes is in itself a good thing for freedom of expression on the Web, he said.

Dot-XXX Domain Won't Clean Up the Web

ICANN has approved XXX as a top-level domain. The adult entertainment industry will soon have its own glaringly obvious domain, but unfortunately

that doesn't necessarily mean that dot-COM domains will suddenly be porn-free.

From a security (or parenting) perspective, it would be nice. While there are certainly legitimate Web sites offering adult entertainment sans malware, it doesn't take more than a click or two to enter the dark and shady side of the Web - where malware of all sorts lies in waiting to infiltrate and compromise unsuspecting seekers of porn.

It couldn't get much easier to block employee (or child) access to inappropriate adult material than simply banning all access to the XXX domain. As a matter of fact, once the XXX domain is up and running it seems fair to assume that IT administrators and parents (or consumer security vendors) will do just that. It's a no-brainer.

However, porn sites will be like dolphins. All dolphins are whales, but not all whales are dolphins. Dolphins are a subset of the larger whale family. Similarly, all XXX sites will be porn, but not all porn sites will be XXX. Many porn sites have a long and established presence as a dot-COM domain and will not simply abandon that.

As it is, many adult Web sites have multiple domains that redirect. Both Playboy and Penthouse own their respective dot-NET domains as well, but if you try to visit them you will be automatically redirected to the primary site at playboy.com or penthouse.com. Adult sites will simply purchase the XXX domain equivalent and redirect it accordingly.

What is more likely to happen than dot-COM getting cleaner, is that more respectable businesses will be forced to purchase the dot-XXX equivalent of their primary domain simply to ensure it isn't purchased by a purveyor of porn. For example, Disney certainly doesn't want customers to visit disney.xxx, but it also doesn't want disney.xxx to be purchased by a shady adult site. So, Disney will purchase the disney.xxx domain and redirect it to disney.com just as it has done with disney.net and disney.org and many other domains that are even remotely similar to the Disney name. Disney wants to ensure that you get to Disney.com no matter what you enter in your Web browser.

Of course, the same sort of brand and trademark protection works in reverse, too. Even if Playboy or Penthouse chose to convert their primary domain to XXX, each would still own the dot-COM and dot-NET equivalents and redirect them to the dot-XXX domain to ensure that - no matter how you enter Playboy or Penthouse in your Web browser - you arrive at their Web site. Playboy is not going to abandon the established playboy.com domain and leave it to be purchased by some other opportunistic business.

The only way that the XXX domain could clean up other domains like dot-COM and dot-NET is if an actual rule were established requiring porn sites to only use the XXX domain. However, that is an exceptionally slippery slope open to all sorts of interpretation - and probably protracted legal battles.

The problem with trying to define such a rule is twofold. First, porn is in the eye of the beholder. I mentioned Playboy and Penthouse, but many (myself included) don't truly consider the material on those sites to be pornographic. It is certainly of an adult entertainment nature, but its not porn.

Second, adult entertainment companies are also - well...companies. They

are companies that engage in commercial activity. By definition, they have a right to use the dot-COM domain for those endeavors.

Perhaps the XXX domain will make inappropriate adult content easier to filter from corporate networks, but IT administrators will not be able to let their guard down on defending the network against porn on other top-level domains. And, IT administrators might want to get a jump on purchasing the dot-XXX equivalent of their existing domain in order to protect the brand and reputation of the company.

California License Plates Might Go Digital, Show Ads

As electronic highway billboards flashing neon advertisements become more prevalent, the next frontier in distracted driving is already approaching - ad-blaring license plates.

The California Legislature is considering a bill that would allow the state to begin researching the use of electronic license plates for vehicles. The move is intended as a moneymaker for a state facing a \$19 billion deficit.

The device would mimic a standard license plate when the vehicle is in motion but would switch to digital ads or other messages when it is stopped for more than four seconds, whether in traffic or at a red light. The license plate number would remain visible at all times in some section of the screen.

In emergencies, the plates could be used to broadcast Amber Alerts or traffic information.

The bill's author, Democratic Sen. Curren Price of Los Angeles, said California would be the first state to implement such technology if the state Department of Motor Vehicles ultimately recommends the widespread use of the plates. He said other states are exploring something similar.

Interested advertisers would contract directly with the DMV, thus opening a new revenue stream for the state, Price said.

"We're just trying to find creative ways of generating additional revenues," he said. "It's an exciting marriage of technology with need, and an opportunity to keep California in the forefront."

At least one company, San Francisco-based Smart Plate, is developing a digital electronic license plate but has not yet reached the production stage. The bill would authorize the DMV to work with Smart Plate or another company to explore the use and safety of electronic license plates.

The company's chief executive, M. Conrad Jordan, said he envisioned the license plates as not just another advertising venue, but as a way to display personalized messages - broadcasting the driver's allegiance to a sports team or an alma mater, for example.

"The idea is not to turn a motorist's vehicle into a mobile billboard, but rather to create a platform for motorists to show their support for existing good working organizations," he said.

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